

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10761 OF 2025

Balu Baurao Pokharkar

.....Petitioner

Vs.

The State of Maharashtra

Throu. Its Principal Sec. Revenue Dept. and Ors.

.....Respondents

Mr. Ashish Gaikwad a/w Adv. Anirudh Rote a/w Adv. Rutuja Pendkalkar, for the Petitioner.

Ms. Pooja Patil, AGP for Respondents.

CORAM : REVATI MOHITE DERE &

DR. NEELA GOKHALE, JJ.

DATE : 18th AUGUST 2025.

P.C.:-

1. At the outset, learned counsel for the Petitioner does not press for prayer clauses (b) and (c) and as such, we are not going into the merits of the same.

2. Learned counsel for the Petitioner however, presses for prayer clause (d) i.e. the Petitioner seeks a direction to the Additional Commissioner, Pune Division, Pune (Respondent No.5) to expeditiously decide the Petitioner's Rehabilitation Appeal No.3 of 2015 dated 27th April 2015.

3. Learned counsel for the Petitioner submits that the aforesaid Appeal has been filed by the Petitioner in 2015 on the basis of the report of the Circle Officer, Pargaon dated 15th December 2017 as well as on the basis of the report of the Tahasildar also dated 15th December, 2017.

4. Without going into the merits of the Appeal which is pending before the Respondent No.5 we deem it appropriate to direct the Additional Commissioner, Pune Division, Pune to decide the Petitioner's Rehabilitation Appeal No.3 of 2015 dated 27th April, 2015 as expeditiously as possible, within 8 weeks, considering that the said Appeal is pending since 2015.

5. The Petition is disposed of, in the aforesaid terms.

6. In the meantime, till the Petitioner's Appeal is decided by the Respondent No.5, no coercive steps to be taken against the Petitioner pursuant to the notice dated 17th July 2025 issued through the office of Respondent No.12.

7. We make it clear that we have not heard the Petition on merits and as such, keep all contentions of all the parties on merits open. We

also make it clear that the Petitioner will not seek any adjournment before the Respondent No.5 and will proceed with the hearing of the Appeal as directed by us.

8. At this stage, learned counsel for the Petitioner states that he will make the alleged purchaser i.e the Respondent No.11 herein, a party in the said Appeal. Statement accepted.

9. List the matter on **3rd November 2025** for 'Recording Compliance'.

(DR. NEELA GOKHALE, J.) (REVATI MOHITE DERE, J.)